

Committee of Thirteen Report

February 14, 2012

The Committee of Thirteen of the Benton County Quorum Court met Tuesday, February 14, 2012 at 6:00 p.m. in the Quorum Court Room, County Administration Building, Third Floor, 215 East Central, Bentonville, Arkansas.

13 JPs Present: King, Winscott, J. Harrison, Allen, K. Harrison, Hawkins, Jones, Sandlin, Douglas, Blaty, Curry, Carr, Moore

Others Present: County Judge Bob Clinard, County Attorney George Spence, Comptroller Richard McComas, Administrator of Public Safety Marshal Watson, Administrator of General Services Elizabeth Bowen,

Media: Tom Sissom - Daily Record

Chair Kurt Moore called the meeting to order.

PUBLIC COMMENTS

Sam Reyna of Rogers, President of the Benton County Constable Association stated that Constable Townships have changed from fifteen to five townships and that he is representing the five Constables that will be running. He added that the Benton County Constable Association wanted to make the Quorum Court aware that they have submitted a letter to the Sheriff's Department requesting that they be allowed on the radio waves, so that they will be safe while patrolling time out in the county and in their townships.

JP J. Harrison made motion to suspend the rules and read all ordinances and resolutions by title only, seconded by JP Sandlin.

Motion passed by unanimous show of hands vote.

1. Discussion: Authorizing County Judge to sign the Crafton Tull Engineering and Construction estimate – Fisher Ford Bridge

JP Allen stated this was forwarded from the Finance Committee and the estimate amount of \$1,343,536 is the total engineering and construction costs received from Crafton Tull Engineering Firm and that County Judge Bob Clinard needs approval to sign this engineering construction cost estimate.

JP King stated that looking at the figures that they should go ahead and do what the county started out to do.

JP Moore stated during the February 7, 2012 Finance Committee meeting, there was discussion of several regulatory hurdles that the county will need to go through before

the county would actually be spending money on this project; 1) Corps of Engineers; 2) Arkansas Department of Environmental Quality (ADEQ) and, 3) Arkansas Highway Transportation Department.

County Judge Bob Clinard stated that it would take four to five months for the contract design and approval, and that the unknown is how long it will take for the regulatory departments to review the design. He added that the county is looking at doing the work to take the old Fisher Ford Bridge out.

JP Allen stated that the court is concerned that this could push out into the year 2014, and it was suggested that the existing piers be used and if that would be a savings.

County Judge Bob Clinard stated that an estimate was to be given, to do a pier salvage project to see if the existing piers could be used.

JP Jones made motion to approve the Crafton Tull engineering construction estimate and authorize County Judge Bob Clinard to sign the proposed estimate and forward to the February 23, 2012 Quorum Court agenda, seconded by JP Curry.

Further discussion was held on the bridge estimate and the costs involved with building new piers.

County Judge Bob Clinard stated that two years ago the county authorized Garver Engineering to do a study on replacing or repairing the Fisher Ford Bridge, and that he did not remember reading anything in the study reporting on an opinion of the existing piers.

JP Moore stated that he had read the study, and everything they had was on the structural components of the bridge itself not the piers.

JP Allen stated that it was discussed in the Finance Committee meeting that the Colonel Meyers project is going to be significantly less than what they had originally thought because of state funding, and that if we are over by \$100,000 or \$200,000 for this project, we will be saving more than that on the Colonel Meyers project.

Motion passed by unanimous show of hands vote.

2. Resolution Request: Resolution setting the pay for Elected County Officials beginning January 1, 2013.

JP Allen stated this was forwarded from the Personnel Committee and would be for the Elected Officials that are holding office as of January 1, 2013. He added that this would show those that are filing for an office or running for re-election what the rate of pay would be, and that this is the thought behind the timing of this rate increase and why it is being presented to the court at this time. He stated that this also includes an increase for the Justice of the Peace.

JP Allen made motion to approve and forward the resolution to the February 23, 2012 Quorum Court agenda, seconded by JP Sandlin.

JP Curry stated that several people had asked why we are giving ourselves a raise, and that he could not give them a good answer, and that he could not support this.

JP K. Harrison stated that he could not support the Justice of the Peace pay increase just because we have gone from a Class 6 to a Class 7 county. He added that he did not like the idea of giving the Elected Officials and JP's a pay raise, if we are not looking at the employees too.

JP Allen stated that all they are doing is proposing that it is in the 2013 budget, even if it passed at the Quorum Court the motion is to put it in the budget, and in the fall they will be looking at it to see if there is enough money to follow through with these raises.

JP Allen stated we want people to be compensated for what they do, and that because the Census was taken so late, the Elected Officials have been doing the work of a Class 7 county for at least ten years and being under paid for it. He stated that it is easy to make the argument that these raises are legitimate, and that they are for one term. He stated that it is hard to be in our position, and we have to be well versed to explain why this is before us, it is not to be greedy and pay our Elected Officials more money, they earn what they are receiving.

JP Sandlin stated that there is not a good time to offer raises to any public entity. She stated that salaries need to be set before potential candidates file for office. She stated this is the intent if our budget allows it, and it is to be considered by the Finance Budget Committee in the fall. She stated as far as the justice increases, those were reviewed, and she would support this motion.

Comptroller Richard McComas stated that the minimum and maximum of the Elected Officials pay rates will be raised 3% per year for the next two years according to the current state law.

JP Douglas stated just because we pass this resolution, doesn't mean this is what it is going to be, that will be determined during the Finance Budget Committee budget process.

Motion passed by show of hands vote.

10 in favor: King, Winscott, Allen, Hawkins, Jones, Sandlin, Douglas, Blaty, Carr, Moore
3 opposed: J. Harrison, K. Harrison, Curry

3. Appropriation Ordinance Request: Appropriation ordinance for year end budget clean up adjustments of 2011

JP Allen stated this appropriation ordinance was forwarded from the Finance Committee and is for year end budget clean up adjustments for 2011.

JP Allen made motion to approve and forward the appropriation request to the February 23, 2012 Quorum Court agenda, seconded by JP Jones.

Motion passed by unanimous show of hands vote.

4. Appropriation Ordinance Request: Environmental, Dept. 38, Fund 010

JP Allen stated this appropriation ordinance is to appropriate \$40,000 to pay for services rendered and agreed upon in the 2012 Interlocal Agreement between Benton County and the Northwest Arkansas Regional Planning Commission.

JP Allen made motion to approve and forward the appropriation request to the February 23, 2012 Quorum Court agenda, seconded by JP Douglas.

Motion passed by unanimous show of hands vote.

5. Appropriation Ordinance Request: Assessor's Annex, Dept. 07, Fund 440

JP Allen stated this appropriation ordinance is to appropriate \$150,000 to complete the remodeling of the Assessor's Annex Facility.

JP Allen made motion to approve and forward the appropriation request to the February 23, 2012 Quorum Court agenda, seconded by JP Douglas.

JP Douglas stated that the remodeling plans will put this building in top shape, and will last for many years and it is a wise investment.

Motion passed by unanimous show of hands vote.

6. Appropriation Ordinance Request: Prosecuting Attorney, Dept. 21, Fund 440

JP Allen stated this appropriation ordinance is to appropriate \$90,000 to complete the remodeling of the Courthouse Tower East.

JP Allen made motion to approve and forward the appropriation request to the February 23, 2012 Quorum Court agenda, seconded by JP Douglas.

County Judge Bob Clinard stated that the goal is to move the Maintenance Department and Coroner into the remodeled area and make the jail cells storage areas and keep the cost at a bear minimum. He added that the old courtroom will be left the same, and will be used as a mock courtroom and a training room, and what we do with the courtroom in the future is up to the county.

JP Douglas stated this is going to save the county paying for lease space that is costing around \$90,000. He stated however we are still paying rent for Judge Schmaltz's court room in the Tucker Building, and it would be nice to figure out a way to use the old juvenile courtroom and save the county another \$50,000 a year, and move Judge Schrantz's courtroom into the old juvenile court room.

County Judge Bob Clinard stated this has been discussed and that Judge Schrantz would have to give his opinion, if that would work or not.

JP Douglas stated now the county is going to have a mock courtroom not being used most of the time and that he would like to have Judge Schrantz come and talk to the court. He added that the whole purpose in this entire building program has been to save the taxpayers money by not paying as much rent. He added that Judge Schrantz's court room is the last leased space that the county has and that he would like to explore that option more closely. Richard McComas stated that the lease on the Tucker Building was just renewed and that it now expires on January 31, 2014.

JP Allen stated the court needs to take into consideration what an early termination fee may be and then we would know what we are dealing with and then talk with Judge Schrantz and see what his position would be.

Motion passed by unanimous show of hands vote.

7. Appropriation Ordinance Request: Dive Team, Dept. 69, Fund 010

JP Allen stated this appropriation request is to appropriate \$27,906 to pay the sales tax on new equipment for the Dive Team, and that it is not new money, it is coming out of their budget.

JP Allen made motion to approve and forward the appropriation request to the February 23, 2012 Quorum Court agenda, seconded by JP Jones.

Motion passed by unanimous show of hands vote.

8. Appropriation Ordinance Request: Juvenile Justice Center, Dept. 35, Fund 440

JP Allen stated this appropriation ordinance is to appropriate an additional \$25,000 to the contingency line item to complete the Juvenile Justice Center, and \$90,866 is a carry over from the 2011 budget to the 2012 budget.

JP Allen made motion to approve and forward the appropriation request to the February 23, 2012 Quorum Court agenda, seconded by JP. Sandlin.

Motion passed by unanimous show of hands vote.

OTHER BUSINESS

None

ANNOUNCEMENTS

JP Blaty announced that the Grievance Committee will meet Thursday, February 14, 2012 at 6:15 p.m.

PUBLIC COMMENTS

None

ADJOURNMENT

Upon motion and second meeting adjourned at 6:58 p.m.